

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

FILED/ACCEPTED  
NOV 20 2008  
Federal Communications Commission  
Office of the Secretary

In the Matter of	)	EB Docket No. 07-147
	)	
PENDLETON C. WAUGH, CHARLES M.	)	File No. EB-06-IH-2112
AUSTIN, and JAY R. BISHOP	)	NAL/Acct. No. 200732080025
	)	
PREFERRED COMMUNICATION	)	FRN No. 0003769049
SYSTEMS, INC.	)	
	)	
Licensee of Various Site-by-Site Licenses in	)	
the Specialized Mobile Radio Service.	)	
	)	
PREFERRED ACQUISITIONS, INC.	)	FRN No. 0003786183
	)	
Licensee of Various Economic Area Licenses	)	
in the 800 MHz Specialized Mobile Radio	)	
Service	)	

To: The Honorable Judge Arthur I. Steinberg

**ENFORCEMENT BUREAU'S**  
**UNOPPOSED MOTION FOR EXTENSION OF PROCEDURAL SCHEDULE**

The Enforcement Bureau ("Bureau"), pursuant to 47 C.F.R. § 1.205, moves for an extension of the procedural schedule by four weeks. In support hereof, the Bureau states as follows:

1. On July 23, 2008, the Presiding Judge established the currently applicable procedural schedule.<sup>1</sup> Under that schedule, the current deadline for completion of all discovery, including the deadline for conducting depositions, is December 15, 2008.<sup>2</sup>

<sup>1</sup> See *Pendleton C. Waugh, et al.*, Order, FCC 08M-40 (ALJ Steinberg, released July 23, 2008).

<sup>2</sup> See *id.*

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2. On October 17, 2008, per agreement with Pendleton C. Waugh, through his counsel, the Bureau noticed its intent to depose Mr. Waugh by oral examination on December 8, 2008.

3. On October 21, 2008, per agreement with Charles M. Austin, through his counsel, the Bureau noticed its intent to depose Mr. Austin by oral examination on December 1, 2008.

4. On November 17, 2008, Mr. Austin's counsel contacted the Bureau and requested that the Bureau reschedule Mr. Austin's depositions to take place on December 15, 2008. As the Bureau advised Mr. Austin's counsel, the Bureau anticipates that its depositions will last longer than one day, which could exceed the current deadline. Per the Bureau's request, on November 17, 2008, Mr. Austin's counsel provided the other parties in this proceeding the opportunity to object to the rescheduling of depositions. The Bureau has received no such objections, and on November 19, 2008, Mr. Austin's counsel represented that he also had not received such objections.

5. On November 19, 2008, Mr. Waugh's counsel contacted the Bureau and requested that the Bureau reschedule Mr. Waugh's depositions to take place on January 5, 2009. As the Bureau advised Mr. Waugh's counsel, the rescheduled depositions would exceed the deadline in the current procedural schedule. Per the Bureau's request, on November 19, 2008, Mr. Waugh's counsel advised the other parties of the rescheduled depositions and requested any parties to contact the Bureau by 10:00 a.m., on November 20, 2008, with any objections. As of this filing, the Bureau has received no objections.

6. Accordingly, the Bureau respectfully requests an extension of the remaining deadlines in the current procedural schedule by four weeks, as follows, to accommodate rescheduling its depositions of Mr. Austin and Mr. Waugh:<sup>3</sup>

January 12, 2009	Completion of all discovery.
March 5, 2009	Exchange by the Enforcement Bureau of direct case exhibits, stipulations, and a list of witnesses, if any, to be called for oral testimony.
March 19, 2009	Exchange by Pendleton C. Waugh, Charles M. Austin, Jay R. Bishop, Preferred Communication Systems, Inc., and Preferred Acquisitions, Inc. ("Captioned Parties"), of direct and responsive case exhibits, stipulations, and a list of witnesses, if any, to be called for oral testimony.
March 19, 2009	Notification by the Captioned Parties of the Enforcement Bureau's witnesses desired for cross-examination.
March 31, 2009	Notification by the Enforcement Bureau of the Captioned Parties' witnesses desired for cross-examination.
May 4, 2009	Admissions session commencing at 9:00 a.m. in the Commission's Washington, D.C., offices.
May 11, 2009	Commencement of the hearing at 9:00 a.m. in the Commission's Washington, D.C., offices.

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<sup>3</sup> The Bureau has concurrently filed its Amended Notice of Deposition Upon Oral Examination to reschedule its deposition for Mr. Austin, previously scheduled for December 1, 2008, to December 15, 2008, and its Amended Notice of Deposition Upon Oral Examination to reschedule its deposition for Mr. Waugh, previously scheduled for December 8, 2008, to January 5, 2009.

7. As discussed above, the Bureau respectfully represents that such request is unopposed. Accordingly, the Bureau respectfully requests that the Presiding Administrative Law Judge grant its request for an extension of the current procedural schedule.

Respectfully submitted,  
Kris Anne Monteith  
Chief, Enforcement Bureau

A handwritten signature in black ink, appearing to read "Gary A. Oshinsky". The signature is fluid and cursive, with a large loop at the beginning and a long, sweeping tail that extends to the right.

Gary A. Oshinsky  
Anjali K. Singh  
Attorneys, Investigations and Hearings Division

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November 20, 2008

**CERTIFICATE OF SERVICE**

Kerri Johnson, a Paralegal Specialist in the Enforcement Bureau's Investigations and Hearings Division, certifies that she has, on this 20th day of November, 2008, sent by first class United States mail or electronic mail, as noted, copies of the foregoing "Enforcement Bureau's Unopposed Motion for Extension of Procedural Schedule," to:

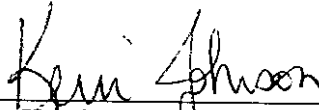
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Kerri Johnson

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